

Mitigated Negative Declaration

PROJECT NAME: High Tech High University Park

PROJECT LOCATION: Southeast corner of Discovery Falls Road and Hunte Parkway

ASSESSOR'S PARCEL NO.: 643-070-10-00; 644-080-15-00; 644-080-10-00

PROJECT APPLICANT: High Tech High Learning

CASE NO.: IS-07-014

DATE OF DRAFT DOCUMENT: November 1, 2007

DATE OF RESOURCE CONSERVATION COMMISSION MEETING: _____

DATE OF FINAL DOCUMENT: _____

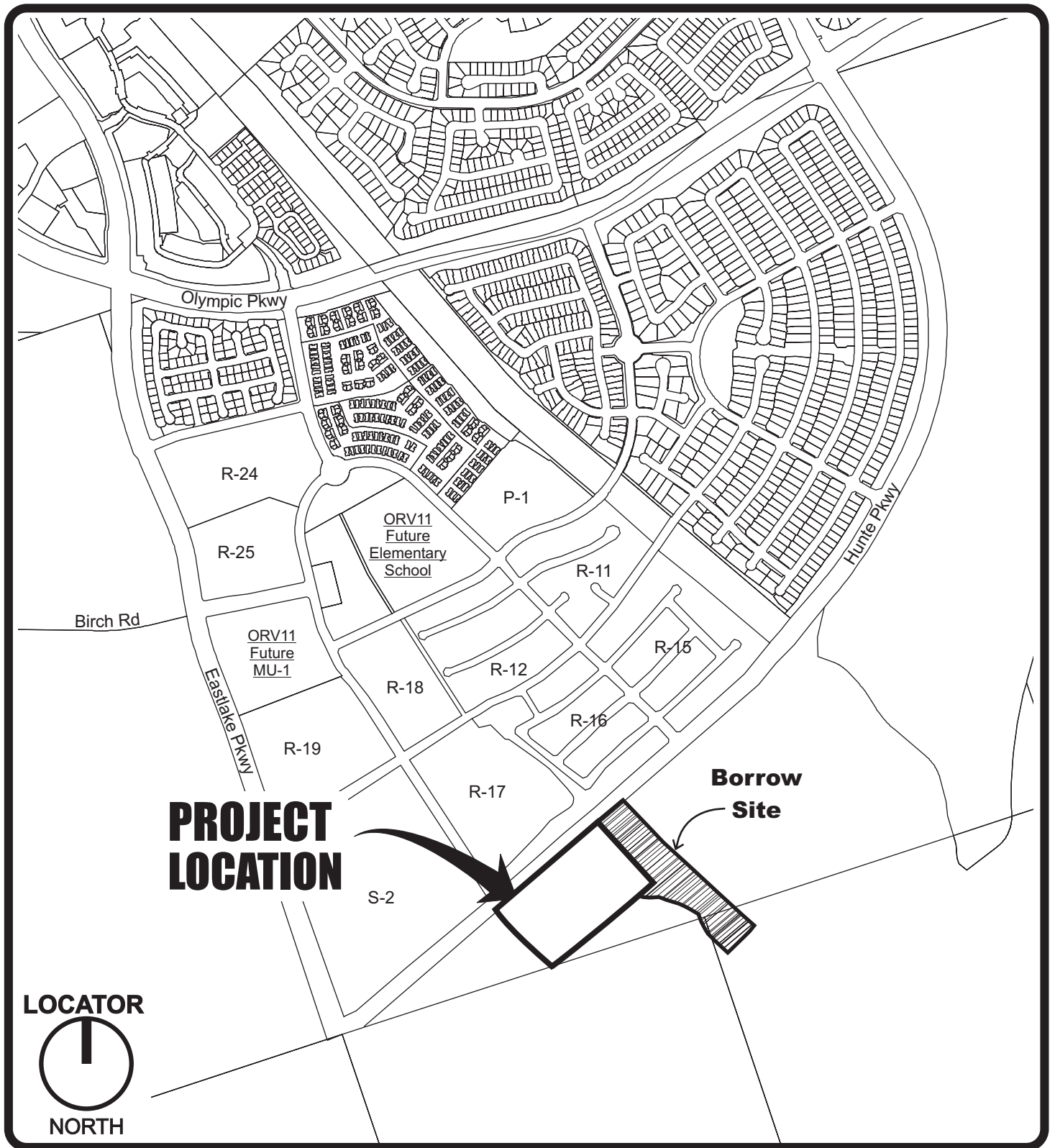
A. Project Setting

The proposed 10-acre High Tech High University Park (project) site is located at the southeast corner of Hunte Parkway and Discovery Falls Drive, within the eastern portion of the City of Chula Vista (refer to Figure 1). The project site consists of undeveloped lands previously used for dry farming. Topographically, the property is characterized by rolling hillsides with elevations ranging from a high of approximately 578 feet Mean Sea Level (MSL) within the northern corner of the property to a low of approximately 461 feet MSL within the southern corner of the site. The land uses surrounding the project site are as follows:

North:	Single- and multi-family Residential (Otay Ranch Village 11)
South:	Undeveloped (future University Campus)
East:	Undeveloped (future University Campus)
West:	Undeveloped (future University Campus)

B. Project Description

The proposed project consists of the development of two High Tech High public charter schools and an Environmental Research Center (ERC) on approximately 10 acres of undeveloped land located in eastern Chula Vista (refer to Figure 2). The proposed project would be constructed in two phases: Phase One consists of a 64,000 square-foot (sf) 9th through 12th grade high school and environmental research center that will accommodate 550 students and 36 faculty members on an approximate 8-acre parcel. Phase Two would include the addition of a 70,000 sf K-8th grade school that will accommodate an additional 700 students and 47 faculty members on an adjacent 2-acre parcel. School phasing is summarized in Table 1 below. Each school building would include classrooms, specialty labs, administration offices, a commons/dining area, and support/building core facilities.



High Tech High
IS-07-014

Vicinity Map

Figure 1

Table 1: School Phasing

Phase One						
School Type	Grades	Students	Square Footage	Staff	Classrooms	Parking Stalls ⁽³⁾
High School & Integrated ERC	9 th -12 th	550 ⁽¹⁾	50,000	36 ⁽²⁾	26	112
ERC Growing Areas	All	0	14,000	0	0	0
Phase One Total	9 th -12 th	550	64,000	36	26	112
Phase Two						
K-8 School	K-8 th	700	70,000	47	35	52
Project Totals	K-12th	1,250	134,000	83	61	164
Footnote: 1. Student population assumptions for phase one: 150 students for 9 th grade; 400 students for grades 10 th – 12 th 2. Staffing assumptions for phase one: 7 staff members for 9 th grade; 29 staff members for grades 10 th – 12 th 3. K-9 th grade = 1 stall per staff member plus 5 stalls for visitors 10 th -12 th grades = 1 stall per every 4 students						

Outside areas would include learning patios, plazas, walkways, dining terraces, play yards including half basketball courts, green space, areas for drop off and pick-up, and parking spaces for cars and bicycles.

The ERC will be highly integrated with the high school and will consist of specialty labs, outdoor growing areas, and other facilities for environmentally-focused research and teaching involving students, faculty, and visiting researchers and community members.

Ancillary activities and programs including, but not limited to, fundraising, athletic, preschool, childcare, adult education, research, performing arts, and community events may take place on the campus before, during, or after regular school hours and on weekends and holidays as well. The completed project will include grading to create appropriate building pads, on-site parking, open recreational space, landscaping, lighting, signage, pedestrian pathways, fencing, and retaining walls. Proposed lighting will consist of standard security, pathway, and parking lighting standards. The proposed project will also evaluate the use of an approximate 12-acre borrow immediately adjacent to the site that would provide 400,000 cubic yards of soils needed to create the building pads and a relatively flat campus. The overall impact area (campus, access roads, slopes, and borrow area) encompasses approximately 26 acres.

Hours of Operation:

The proposed schools and ERC would generally operate between 8:30 AM to 4:00 PM Monday through Friday, with limited ancillary activities offered before and after school hours and weekends and holidays as well. The start and end times for the different schools may be staggered to minimize traffic congestion during peak drop-off and pick-up times.

Parking:

The proposed project would meet the minimum requirements set forth in the Chula Vista Municipal Code for on-site parking for the two schools. Because the research center is an extension of the high school and will have no faculty, staff, or students independent of the schools, no additional parking is required for this facility.

LEED Certification

The proposed project is in the process of seeking certification through the Collaborative for High Performance Schools and the latest US Green Building Council Certification: Leadership in Energy and Environmental Design (LEED) for Schools. Measures that would be implemented to achieve certification include, but are not limited, to integrating a 50kW photovoltaic system in the roof design, imposing a minimum daylight factor of 2% in at least 75% of classrooms and regularly-occupied spaces, and installation of a Building Management System (BMS) will be integrated with the lighting, irrigation, and mechanical system to maximize energy and water efficiency. The project encourages alternative transportation by including bicycle storage and changing facilities. Similarly, parking areas would include preferred parking for low emitting/fuel-efficient vehicles as well as preferred parking for carpools, which would encourage alternative transportation options. In order to improve energy use, the project would exceed the standard California Title-24 Energy Code by a minimum of 15 percent.

C. Compliance with Zoning and Plans

The proposed project site is located in the P-C Zone (Planned Community/Otay Ranch University Campus) and PQ (Public/Quasi-Public) General Plan land use designation. The proposed project is consistent with the goals, objectives, and policies of the City's General Plan and Otay Ranch General Development Plan (GDP) for the establishment of educational and research institutions within this area. A redesignation of the proposed school site from PC zone to P-Q zone is proposed to allow for a public use within University Campus area prior to the processing of the University Campus Sectional Planning Area (SPA) Plan.

Otay Ranch General Development Plan/Subregional Plan Program EIR

The Final Program Environmental Impact Report (Program EIR #90-01) for Otay Ranch General Development Plan/Subregional Plan (GDP/SRP) was prepared and certified jointly by the City of Chula Vista and County of San Diego. The Program EIR 90-01 addresses the environmental impacts of implementation of the Otay Ranch GPA/GDP/SRP and related documents, which include Facility Implementation Plans, a Village Phasing Plan, Phase One Resource Management Plan (RMP), and a Service/Revenue Plan. As part of Program EIR 90-01, a Mitigation Monitoring and Reporting Program (MMRP) was prepared to define implementation of the mitigation measures described in the Program EIR. Relative to the project site, the Program EIR identified potentially significant impacts associated with agricultural resources, landform development, biological resources, and air quality with build-out of the site in accordance with the GDP.

A Statement of Overriding Considerations was adopted for Program EIR #90-01 that addressed impacts to agricultural resources, landform development, biological resources, and air quality within the development area of the proposed project. Thus, the potential impacts (direct and/or cumulative) associated with agricultural resources, landform development, biological resources, and air quality within this area have been assumed, considered and approved through the adoption of the Statement of Overriding Considerations for the Otay Ranch GDP.

D. Public Comments

On July 13, 2007, a Notice of Initial Study was circulated to property owners and residents within a 500-foot radius of the proposed project site. The notice period ended July 25, 2007. Two written comment letters were received during the public review period. The comment letters included comments pertaining to the project's exemption of school fees from Chula Vista Elementary School District, consistency with the Otay Ranch General Development Plan, biological resources, water quality, air quality, and project alternatives. The issues regarding biological resources, water quality, and air quality are addressed in the Mitigated Negative Declaration sections below.

E. Identification of Environmental Effects

An Initial Study conducted by the City of Chula Vista (including the attached Environmental Checklist form) determined that although the proposed project could have a significant environmental effect, there would not be a significant effect in this case because mitigation measures described in Section F below have been added to the project. Therefore, the preparation of an Environmental Impact Report will not be required. This Mitigated Negative Declaration has been prepared in accordance with Section 15070 of the State CEQA Guidelines.

AESTHETICS

Steep Slope Analysis

The Otay Ranch General Development Plan (GDP) and Resource Management Plan (RMP) established a ranch-wide standard that required preservation of at least 83 percent of the steep slopes (slopes with gradients of 25% or greater) throughout the Otay Ranch. As an implementing action of the GDP/RMP, a steep slope allocation table was provided a part of the Phase 2 RMP (Exhibit 29). Geographically, the project site is located within the University Campus planning area (formerly referred to as Otay Ranch Village 10). The original steep slope tabulation assumed that approximately 1,301 steep slopes acres would be impacted, and specifically allocated 55.7 acres of steep slope impact to Village 10.

In November 1998, the Sectional Planning Area (SPA) One Plan revised the original steep slope allocations to Villages One, Five, Thirteen and Fifteen. Based on this reallocation, the total number of estimated steep slopes impacts in Otay Ranch was reduced to 1,281.5 acres.

Overall, the SPA One revisions resulted in a net surplus of 18.8 acres of steep slope encroachment as compared to the originally forecasted GDP impact of 1,301 acres. In addition, based on a current tabulation for completed SPA plans (Villages One, Five, Six, Eleven, and the Freeway Commercial), it has been estimated that an additional 1.0 acres of steep slopes were not impacted as a part of the grading for these projects. The combination of both of these totals results in a total surplus of 19.8 (18.8 + 1.0) acres of steep slopes that can be impacted, while still maintaining the 83% slope preservation standard.

The Phase 2 RMP requires that the application of the preservation standard must be reviewed and monitored as additional projects are processed within the Otay Ranch GDP Planning Area to ensure that the ranch-wide goal of steep slope preservation is maintained. The project area includes approximately .35 acres of impacted steep slopes (Steep Slope Review, RBF, September 6, 2007). This estimated impact to steep slopes within Village 10 would not exceed the RMP steep slope allocation of 55.7 acres. Therefore, implementation of the proposed project would not significantly impact the ranch-wide steep slope preservation standard.

Air Quality

To assess potential air quality impacts of the project, an Air Quality Assessment for the *High Tech High University Park*, dated September 19, 2007 was prepared by RFB Consulting. The results of this analysis are summarized below.

Thresholds of Significance

To determine whether a project would create potential air quality impacts, the City evaluates project emissions thresholds in accordance with the South Coast Air Quality Management District (SQAMD) standards.

Short-Term Emissions (Construction)

As stated in the air quality assessment, all grading activities, including those for Phase II development, would occur with the development of Phase I. As such, Phase II implementation consisted of construction of building facilities. Construction equipment used for grading would include graders, off-highway vehicles, and tractors. Approximately 400,000 cubic yards of earth would be moved from an adjacent borrow site in order to create building pads and a relatively flat campus. The project, as proposed, would be balanced and does not include soil hauling from off-site locations.

The results of the air quality modeling for short-term construction operations are presented below in Table 2. Based on the results of the air quality assessment, the proposed project would exceed SCAQMDs thresholds for both PM₁₀ and PM_{2.5} without implementation of mitigation measures during grading operations. Other project emissions associated with grading activities, including CO, ROG, NO_x, and SO_x, would not exceed SCAQMD thresholds.

Table 2: Construction Air Emissions

Emissions Source	Pollutant (pounds/day) ¹					
	ROG	NO _x	CO	PM ₁₀	PM _{2.5} ²	SO _x
PHASE I						
Unmitigated Emissions	52.78	64.94	78.22	1075.29	225.57	0.00
SCAQMD Thresholds	75	100	550	150	55	150
Is Threshold Exceeded?	NO	NO	NO	YES	YES	NO
Mitigated Emissions^{3,4}	52.78	64.94	78.22	123.86	28.30	0.00
SCAQMD Thresholds	75	100	550	150	55	150
Is Threshold Exceeded After Mitigation?	NO	NO	NO	NO	NO	NO
PHASE II						
Unmitigated Emissions	52.75	85.36	118.82	3.19	2.84	0.01
SCAQMD Thresholds	75	100	550	150	55	150
Is Threshold Exceeded?	NO	NO	NO	NO	NO	NO
Mitigated Emissions^{3,4}	52.75	85.36	118.82	3.19	2.84	0.01
SCAQMD Thresholds	75	100	550	150	55	150
Is Threshold Exceeded After Mitigation?	NO	NO	NO	NO	NO	NO
ROG = reactive organic gases; NO _x = nitrogen oxides; CO = carbon monoxide; SO _x = sulfur oxides; PM ₁₀ = particulate matter; up to 10 microns						
Notes:						
1. Emissions were calculated using the URBEMIS 2002 Computer Model, as recommended by the SDAPCD and SCAQMD.						
2. Per the SCAQMD guidance, PM _{2.5} calculations were estimated using the following ratios:						
<ul style="list-style-type: none"> • 0.96 percent of PM₁₀ asphalt emission; • 21 percent of PM₁₀ fugitive dust; and • 89 percent of PM₁₀ construction exhaust. 						
3. The reduction/credits for construction emission mitigations are based on mitigation included in the URBEMIS 2002 computer model and as typically required by the SCAQMD. The mitigation includes the following: properly maintain of mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stock piles with tarps; water all haul roads three times daily; and limit speeds on unpaved roads to 15 miles per hour.						
4. Refer to Appendix A (Air Modeling Data) for assumptions used in this analysis, including quantified emissions reduction by mitigation measures.						

The mitigation measures contained in Section F below would reduce short-term construction related impacts to a level of less than significant. These measures are included as a part of the Mitigation Measure Monitoring and Reporting Program.

Cumulative Short-Term Emissions

Other projects in the area include the Sweetwater Union High School District (SUSHD) Middle School 12 / High School 14 project, Eastern Urban Center (EUC), and the Otay Ranch Village 2 SPA Plan. Both the EUC and SUHSD projects are currently in development planning and have yet to obtain building entitlements. The Otay Ranch Village 2 SPA Plan has been approved and is currently under construction and discussed below. Mass and rough grading of the SUSHD Middle School were completed as part of initial grading activities for the Otay Ranch Village 11 SPA Plan development, while grading of the EUC is not expected to occur until mid to late 2008. By comparison, grading of the proposed project is expected to be complete by early 2008. Therefore, for the purposes of this evaluation, it was assumed that grading operations associated with the proposed project would not occur simultaneously with grading operations associated with either the EUC or SUSHD developments.

The Otay Ranch Village 2 SPA Plan development is located approximately 1.5 miles west of the proposed project and is currently in various stages of construction including: mass, rough, and precise grading. As indicated above under the discussion of Short-term Emissions, the

primary pollutant of concern with regards to construction activities is PM₁₀. The majority of PM₁₀ emissions are associated with fugitive dust particles, which would primarily affect sensitive receptors within the immediate area of grading operations. The air quality modeling prepared for the Otay Ranch Village 2 SPA Plan Final Environmental Impact Report (FEIR 02-02) concluded that impacts associated with construction emissions, including PM₁₀, would be less than significant with the incorporation of mitigation measures. Similarly, as indicated in Table 2 above, the proposed project also would not result in exceeding the SCAQMD thresholds for PM₁₀ with the implementation of project specific mitigation measures including, but not limited to: watering of exposed surfaces three times daily; covering stock piles with tarps; watering all haul roads three times daily; and limiting speeds on unpaved roads to 15 miles per hour.

Therefore, based upon the distance separating the proposed project from Otay Ranch Village 2 SPA Plan development and localized effect of PM₁₀ emissions, the findings and mitigation measures contained in FEIR 02-02, and the air quality analysis performed for the proposed project, the proposed project's incremental contribution to short-term cumulative construction impacts would be considered less than significant.

Long-Term, Year 2010 and 2030 Emissions (Operation)

For purposes of this air quality emissions analysis, operational related air quality impacts were studied for Year 2010 and 2030 buildout. Emissions were quantified based on the buildout of both Phase I and Phase II. Long-term air quality impacts would consist of mobile source emissions generated from project-related traffic and from stationary source emissions generated directly from natural gas. Emissions associated with each of these sources are shown in Table 3 below. Based on the results of the air quality assessment, the proposed project would not result in significant long-term air quality impacts.

Table 3: Operational Emissions

Source Categories	Specific Sources and Activities	Emissions (lbs/day) ¹					
		ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5} ²
Year 2010							
Mobile Source	Project-related motor vehicle trips	29.46	22.96	223.02	0.17	28.90	--
Area Source	Natural gas combustion, landscape maintenance	1.82	1.05	2.75	0.00	0.01	--
Totals		31.28	24.01	225.77	0.17	28.90	28.61
SCAQMD Significance Criteria		55	55	550	150	150	55
Is Threshold Exceeded?		No	No	No	No	No	No
Year 2030							
Mobile Source	Project-related motor vehicle trips	9.05	4.91	56.13	0.16	28.79	--
Area Source	Natural gas combustion, landscape maintenance	1.82	1.05	2.75	0.00	0.01	--
Totals		10.87	5.96	58.88	0.16	28.80	28.51
SCAQMD Significance Criteria		55	55	550	150	150	55
Is Threshold Exceeded?		No	No	No	No	No	No
Notes:							
1. Mobile source emissions are based upon trip generation data supplied in the Rick Engineering Company on March 7, 2007.							
2. According to the SCAQMD, operational levels of PM ₁₀ , which are almost entirely mobile emissions, are composed of 99 percent of PM _{2.5} . To calculate PM _{2.5} emissions a ratio of 99 percent of the total PM ₁₀ emissions was used. Therefore, the PM _{2.5} emissions are not divided into area and mobile source emissions.							

Cumulative Long-Term Impacts

Implementation of the proposed project would result in an increase in emissions, which would contribute to region-wide emissions on a cumulative basis. Based on the analysis provided, the proposed project would not result in an exceedance of criteria pollutants for long-term operational impacts. The proposed project would also be consistent with the land use designations provided in the City's General Plan. Therefore, the proposed project would result in a less than significant impact regarding cumulative impacts.

CO Analysis (Hot Spots)

In order to determine the potential for significant air quality impacts associated with CO emissions, an evaluation of CO hot spots was completed. This was done to determine if the proposed project emissions exceeded the acceptable regional criteria and violated the CO standard. The CO "hot spots" were based upon the findings of the project traffic study.

According to the Traffic Impact Analysis, full build out of the project would warrant a CO hotspot analysis at the Olympic Parkway/Eastlake Parkway and Birch Road/Eastlake Parkway intersections. Future CO projections for these intersections were modeled using the existing lane configurations. The projected traffic volumes were then modeled using the CALINE4 dispersion model and the resultant values were added to an ambient concentration. Based on the results of the CO hot spot analysis, the surrounding intersections would not result in exceeding Federal or State CO standards; therefore, impacts would be considered less than significant.

City of Chula Vista CO₂ Reduction Plan

In order to reduce greenhouse gas emissions, the City of Chula Vista has prepared the *CO₂ Reduction Plan*. The *CO₂ Reduction Plan* aims to reduce CO₂ emissions to 80 percent of 1990 levels by the year 2010. As a response to the City's *CO₂ Reduction Plan*, the proposed project is in the process of seeking certification through the Collaborative for High Performance Schools and the latest US Green Building Council Certification: LEED for Schools. In accordance with the City's CO₂ Reduction Plan and to aid in achieving LEED Certification, the proposed project includes, but is not limited to: integrating a 50kW photovoltaic system in the roof design, imposing a minimum daylight factor of 2% in at least 75% of classrooms and regularly-occupied spaces, and installation of a Building Management System (BMS) will be integrated with the lighting, irrigation, and mechanical system to maximize energy and water efficiency. The project encourages alternative transportation by including bicycle storage and changing facilities. Similarly, parking areas would include preferred parking for low emitting/fuel-efficient vehicles as well as preferred parking for carpools, which would encourage alternative transportation options. In order to improve energy use, the project would exceed the standard California Title-24 Energy Code by a minimum of 15 percent.

Global Climate Change

In 1988, the United Nations established the Intergovernmental Panel on Climate Change to evaluate the impacts of global warming and to develop strategies that nations could implement to curtail global climate change. In 1992, the United States joined other countries around the world in signing the United Nations' Framework Convention on Climate Change agreement with the goal of controlling greenhouse gas emissions, including methane. As a result, the *Climate Change Action Plan* (CCAP) was developed to address the reduction of greenhouse gases in the United States. The CCAP consists of more than 50 voluntary programs. Additionally, the Montreal Protocol was originally signed in 1987 and substantially amended in 1990 and 1992. The Montreal Protocol stipulates that the production and consumption of compounds that deplete ozone in the stratosphere (i.e., chlorofluorocarbons, halons, carbon tetrachloride, and methyl chloroform) were to be phased out by year 2000.

On June 1, 2005, the Governor of California signed Executive Order S-3-05, which established the following greenhouse gas emission reduction targets for the State of California:

- By 2010, reduce greenhouse gas emissions to 2000 levels;
- By 2020, reduce greenhouse gas emissions to 1990 levels; and
- By 2050, reduce greenhouse gas emissions to 80 percent below 1990 levels.

Executive Order S-3-05 also recognized the importance of preparedness in that it directed the Secretary of the California Environmental Protection Agency (CalEPA) to lead an effort to evaluate the impacts of climate change on California and to examine adaptation measures that would best prepare the state to respond to the adverse consequences of climate change. In response to S-3-05, the California Climate Action Team (CCAT) was convened, which comprised of representatives from CalEPA, CARB, Integrated Waste Management, California Energy Commission, and several other state departments. The CCAT prepared the Climate Action Team Report to Governor Schwarzenegger and the Legislature (dated March 2006), which provides an overview of scientific evidence regarding climate change as well as potential effects on California. The report also provides recommendations regarding strategies the state should pursue to reduce climate change emissions.

In addition to Executive Order S-3-05, the California Legislature passed Assembly Bill 32 (Global Warming Solutions Act) (AB-32) on August 31, 2006. It requires the State's global warming emissions to be reduced to 1990 levels by 2020. The reduction would be accomplished through an enforceable statewide cap on global warming emissions that would be phased in starting in 2012. Emission reductions shall include carbon sequestration projects and best management practices that are technologically feasible and cost-effective. However, AB-32 does not provide thresholds or methodologies for analyzing a project's impacts regarding global climate change. AB-32 primarily provides a timeframe for establishing plans, policies, and studies to address global climate change.

In light of legislation such as AB-32 and Executive Order S-3-05, there has been much debate regarding the analysis of global climate change in CEQA documents. As previously mentioned, although several studies are available regarding the overall impacts associated with global climate change, the conclusions and predictions vary with each report. Based on the current scientific literature, on a proposed project of this size, it would be speculative to determine whether the contribution of any particular project or plans to greenhouse gas emissions and climate changes are significant.

Based on an investigation of compliance with local air quality thresholds, future long-term operational impacts, incorporation of Green House Gas Reduction measures, and consistency with the City's CO Reduction Program, the proposed project would still have the potential to result in emissions associated with greenhouse gases. However, there is significant uncertainty involved in making predictions of the extent of which the project operations have on greenhouse gas emissions and global climate change. Therefore, a conclusion on the significance of the environmental impact of climate change cannot be reached. Section 15145 of the CEQA Guidelines provides that, if after a thorough investigation a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impacts.

Biological Resources

A Biological Resources Report and Impact Analysis was prepared by Dudek and Associates, dated May 2007, to assess the potential direct, indirect, and cumulative impacts to sensitive biological resources of the project. Biological surveys of the study area were conducted by Dudek biologist Tricia Wotipka on June 28 and November 28, 2006, to map and assess the existing vegetation and to conduct a general reconnaissance-level survey for plant and animal species recognized as sensitive by local, state, or federal wildlife agencies and/or environmental organizations. The results of the report are summarized below.

The approximate 26-acre project site (campus, borrow area, slopes and access roads) consists of two altered or non-native habitat types: 24.15 acres of agriculture and 2.18 acres of disturbed land. No natural vegetation communities/habitat types including jurisdictional waters of the U.S./State, including wetlands, were observed within the approximate 26-acre study area. The proposed project is within a development area of a Covered Project as identified in the City's MSCP Subarea Plan and as such has not been identified as a strategic preserve area within the City nor is it located within a designated conservation area; therefore, the proposed project would not impact the goals and objectives of the City's MSCP Subarea Plan. Lands adjacent to the project site include developed lands to the north including Hunte Parkway and the Otay Ranch Village 11 SPA development, and undeveloped former agricultural lands to the east, south and west. The City's MSCP Subarea Preserve is located approximately 3,000 feet southeast of the project study area.

On June 28, 2006, and November 28, 2006, Dudek biologist Tricia L. Wotipka conducted a general biological resources assessment of the approximately 26-acre study area, which included a general wildlife and botanical survey, vegetation community mapping, and the

preparation of a biological resources map. The assessment was conducted on foot and the entire study area was walked to thoroughly complete the resource inventory.

Soils

According to Bowman (1973), the site supports two soil types within the Olivenhain series: Olivenhain cobbly loam (OhC), 2 to 9 percent slopes and Olivenhain cobbly loam, 9 to 30 percent slopes. Soils in the Olivenhain series are typically characterized by well-drained, moderately deep to deep cobbly loams with a very cobbly clay subsoil (Bowman 1973). In many places, microrelief of broad-base low hummocks, locally called mima mounds, may be evident (Bowman 1973).

Botany –Existing Plant Communities and Floral Diversity

The majority of the site is in a highly disturbed state, which has been most likely affected by previous grading, disking, ranching, and farming activities. No jurisdictional waters of the U.S./State, including wetlands, under the jurisdiction of the U.S. Army Corps of Engineers (ACOE), the Regional Water Quality Control Board (RWQCB), the CDFG, and the City's Wetland Protection Program (WPP) were identified within the 26-acre site. In accordance with Table 5-3 of the City's MSCP Subarea Plan, the study area supports approximately 24.15 acres of agriculture and 2.18 acres of disturbed land. These vegetation communities/land covers are graphically depicted in Figure 3 below; similarly, their acreages are presented in *Table 4*.

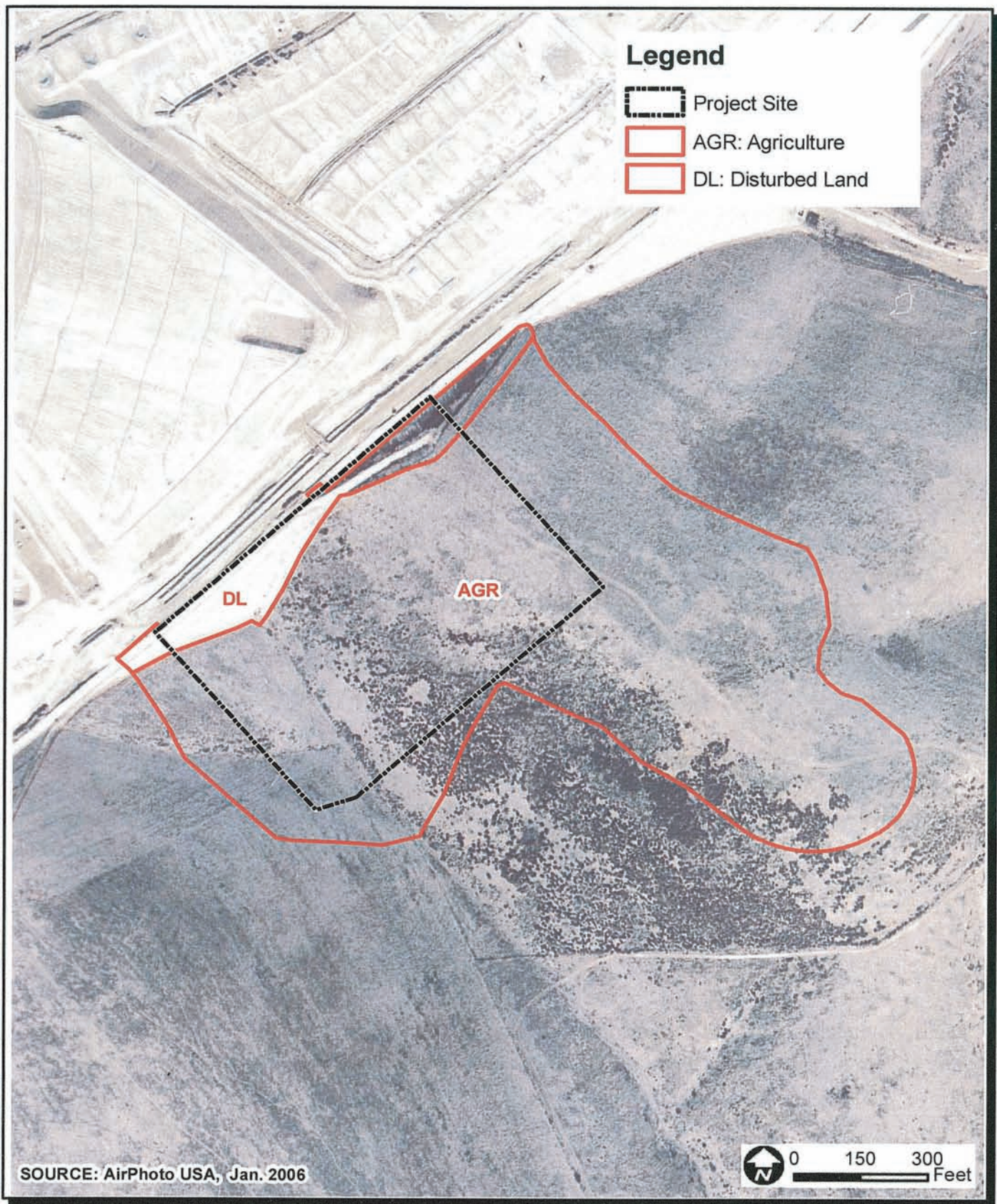
Table 4: Acreages of Existing Vegetation Communities

Vegetation Communities	MSCP Tier	Existing Acreage
Agriculture	IV	24.15
Disturbed Lands	IV	2.18
TOTAL	-	26.33

Agriculture (MSCP Tier IV)

Agricultural lands refer to areas which have been under previous or current cultivation or are pastures actively grazed by livestock and contain fewer than 20 percent native plant cover. These areas contain very few native shrubs and pastures are dominated by non-native grasses, doveweed, and black mustard.

Within the study area, agricultural lands occupy a majority of the site (92 percent) and is dominated by wild radish (*Raphanus sativus*), garland chrysanthemum (*Chrysanthemum coronarium*), short-podded mustard (*Hirschfeldia incana*), black mustard (*Brassica nigra*), ripgut brome (*Bromus diandrus*), and foxtail chess (*Bromus madritensis*).



Biological Resources Map

FIGURE
3

Disturbed Land (MSCP Tier IV)

Disturbed land refers to areas where persistent mechanical disturbance has resulted in severely limited natural vegetation growth. Disturbed land can include dirt roads, abandoned pads, unvegetated, manufactured slopes, and other man-made land covers. Within the study area, disturbed land refers to the sparsely vegetated, 2:1 manufactured slope along Hunte Parkway.

Implementation of the proposed project would result in direct, permanent impacts to approximately 26 acres of non-native plant communities/land covers, including 24.15 acres of agriculture and 2.18 acres of disturbed land. Impacts to Tier IV habitat are not considered significant in accordance with the City's MSCP Subarea Plan. Consequently, mitigation for direct impacts to Tier IV habitat is not required.

Sensitive Biological Resources

Sensitive Vegetation Communities

No natural and/or sensitive vegetation communities, including wetlands and non-wetland waters of the U.S./State, were identified within the 26-acre study area. Agriculture and disturbed land are considered non-native Tier IV land covers in accordance with the City's MSCP Subarea Plan and as such have very little to no biological value. The proposed project would not result in direct impacts to sensitive vegetation communities and; therefore, impacts are considered less than significant.

Sensitive Plants

No state- or federally-listed endangered or threatened species or species considered sensitive by the California Native Plant Society (CNPS) were observed within the study area and due to the extent of disturbance present, none are expected to occur. Therefore, direct impacts to sensitive plant species are considered less than significant.

The City's MSCP Subarea Plan Preserve is located approximately 3,000 feet southeast of the project study area. Although the City's MSCP Preserve is not immediately adjacent to the project site, implementation of the proposed project has the potential to indirectly impact off-site, native vegetation communities due to the introduction of invasive non-native species on the project site. Implementation of the mitigation measures contained in Section F below would reduce potential indirect impacts to adjacent biological resources to a level of less than significant.

Sensitive Wildlife

No state- or federally-listed threatened or endangered animal species, or evidence of nesting birds (i.e., nest building, territorial defense, transport of nesting material or food for young, etc.) was identified during the spring general reconnaissance survey and, due to the extent of disturbance, sensitive wildlife species are not expected to nest within the study area.

However, the study area has a moderate potential to provide foraging habitat for the following avian species: white-tailed kite (*Elanus leucurus*), a USFWS Migratory Nongame Birds of Management Concern (MNBMC), and the loggerhead shrike (*Lanius ludovicianus*), a California Species of Concern (CSC). Implementation of the mitigation measures contained in Section F below would reduce potential impacts to sensitive wildlife species to a level of less than significant.

Habitat Linkages

Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for the immigration and emigration of animals. Salt Creek, which is located off site approximately 3,000 feet southeast of the study area, is the only biological resource in the project vicinity that may serve as a wildlife movement corridor. The study area itself is not located within a movement corridor and is not expected to aid in the movement of wildlife species because of its close proximity to other disturbed and developed sites. The study area does not function as a habitat linkage or wildlife corridor; therefore, impacts are considered less than significant.

Regional Conservation – Cumulative Impacts

The cumulative assessment of biological resources impacts relies on the Chula Vista's adopted MSCP Subarea Plan. Preservation of the region's biological resources is addressed through the implementation of regional habitat plans. Impacts to biological resources in Chula Vista are managed through the Chula Vista MSCP Subarea Plan, which incorporates the Otay Ranch Resource Management Plan (RMP). Implementation of the City's MSCP Subarea Plan contributes significant habitat conservation both within the Chula Vista Subarea and within the Chula Vista MSCP Planning Area in the unincorporated County Multi-Habitat Planning Area (MHPA).

The City's MSCP Subarea Plan designates the entire project area as a development area within a Covered Project (i.e., Otay Ranch). A Covered Project refers to those projects within Chula Vista for which hard-line Preserve boundaries have been established pursuant to the Subarea Plan and where conservation measures consistent with the MSCP Subregional Plan and the City's Subarea Plan have been or will be specified as binding conditions of approval in the proposed project plans.

In addition to the City's MSCP Subarea Plan, the Otay Ranch area is governed by several planning documents that are relevant to biological resources within the study area. They include the Otay Ranch General Development Plan/ Subregional Plan (GDP/SRP) and the Otay Ranch RMP. The Otay Ranch Resource Management Plan (RMP) further defines how open space is to be conserved and managed for biological resource value and constitutes the California Environmental Quality Act (CEQA) mitigation for biological impacts associated with development. Compliance relies on progressive acquisition of the designated Otay Ranch Preserve areas to occur with each development approval.

In accordance with the City's MSCP Subarea Plan and Otay Ranch RMP, the proposed project is considered a "common use" facility. Common use areas include, but are not limited to, local parks and public schools and are distinguished from other beneficial uses because of their widespread benefit to the region. Pursuant to the Otay Ranch RMP, common use areas have been assumed with regards to preserve assembly and are not subject to conveyance obligations pursuant to the Otay Ranch RMP; therefore, the proposed project would not impact the goals and objectives of the City's approved Subarea Plan and supporting Otay Ranch RMP.

A Statement of Overriding Considerations was adopted for the Otay Ranch GDP in October 1993 that addressed impacts to biological resources, which included the loss of potential foraging habitat within the development area of the proposed project. Thus, the loss of potential foraging habitat within this area has been assumed, considered and approved through the adoption of the Statement of Overriding Considerations (SOC) for the Otay Ranch GDP. The construction of the proposed project would not result in any new significant cumulative impacts that were not contemplated in the SOC nor increase the severity of any identified impacts in EIR 90-01.

Cultural / Paleontological Resources

Cultural Resources

An archeological survey and significance evaluation of the project site (and adjacent borrow area) was conducted by Brian F. Smith and Associates (*Archeological Assessment for the High Tech High Chula Vista Project, December 6, 2006, revised April 11, 2007*). The results of the archeological survey and significance evaluation are summarized below. A copy of the archeological assessment is available for review at the City's Planning and Building Department.

One previously unrecorded prehistoric site, SDI-18-136, was discovered during the archeological survey. A testing program was conducted in order to determine the significance of the newly discovered resource. The testing program sufficiently documented the resource, consisting of a minimal marine shell scatter, and has subsequently exhausted any research potential. Therefore, the significance evaluation conducted for SDI-18-136 determined that the site is not significant according to criteria specified in State CEQA Guidelines, Section 15064.5. Impacts to this site resulting from project implementation would be considered less than significant and no mitigation measures are required.

As noted in the archeological survey, a moderate potential still exists for additional unrecorded sites to be discovered during initial grading operations. Therefore, to ensure that impacts to potentially significant archeological resources are mitigated to less than significant, an archeological monitor shall be present during all cutting of previously undisturbed soil. Implementation of the mitigation measures contained in Section F below would reduce potential impacts to significant archeological resources to a level of less than significant.

Paleontological Resources

In accordance with Appendix G of the CEQA Guidelines, impacts to paleontological resources would be significant if the proposed project directly or indirectly destroys a unique paleontological resource or site or unique geologic feature.

Grading for the proposed project would not impact any known paleontological resources; however, grading activities have the potential to impact fossils that are potentially buried in the underlying formations. The occurrence of fossils within the covered bedrock cannot be evaluated prior to exposure. Areas of the Otay Formation with accumulations of colluvial and alluvial deposits in the drainage course bottoms may be exposed during grading and construction activities. The proposed grading of the Otay Formation sandstone would move material with high sensitivity for paleontological resources. Exposure of these formations could result in the unearthing of fossil remains, which could damage the fossils if they were not recovered and salvaged. Destruction of the paleontological resources from these formations would be a direct, potentially significant impact.

The mitigation measures contained in Section F below would mitigate potentially significant impacts to paleontological resources below a level of significance.

Geology and Soils

In order to assess the potential geological and soils impact of the proposed project and the associated off-site borrow area, a Geotechnical Investigation was prepared by GEOCON, Inc. (Geotechnical Investigation, High Tech High Chula Vista, GEOCON Incorporated, February 13, 2007). The results of this investigation are summarized below.

Soil conditions encountered during the geotechnical investigation included surficial deposits comprised of compacted fill, topsoil, and colluvium. The geologic units include Tertiary-age Otay Formation sandstone and mud stone members, Otay Formation bentonite member and the Otay Formation gritstone member.

Soils

Development of the proposed project would result in a high school/middle school campus with associated play yards, landscaping, parking, and access roads. Grading activities, which remove the existing vegetative cover, would expose soils to runoff and erosion. The soils contained in the project area have severe erosion susceptibility, resulting in a potentially significant erosion impact. Construction on liquefiable soils within drainages could result in injuries or loss of property during ground shaking of sufficient magnitude and duration. Expansive soils within pavement, foundation, or slab subgrade could heave when wetted, resulting in cracking or failure of these development improvements. Development on compressible soils could potentially settle under increased load and damage structures, roads, and property.

Surficial soils (compacted fill, colluvium, and topsoil) are not considered suitable for the support of fill or structural loads in their present condition. No additional soil or geologic conditions were encountered or identified as part of the site-specific geotechnical investigation that would preclude the development of the project as proposed, provided the recommendations contained in the Geotechnical Investigation Report (Geotechnical Investigation, High Tech High Chula Vista, GEOCON Incorporated, February 13, 2007) are followed.

The potential discharge of silt during construction activities could result in siltation impacts downstream. Appropriate erosion control measures would be identified in conjunction with the preparation of final grading plans and would be implemented during construction. The implementation of appropriate water quality best management practices (BMPs) during construction would be required in accordance with the Chula Vista Standard Urban Storm Water Mitigation Plan (SUSMP) and the City's Storm Water Management Standards Manual. All portions of the development area disturbed during construction would either be developed or would be appropriately landscaped in compliance with the Chula Vista Municipal Code, Sections 19.36.090 and 19.36.110. Compliance with the above requirements would be ensured by the City Engineer prior to the issuance of grading permits for the proposed project and during construction. Therefore, the potential for the discharge of silt into the drainage system would be less than significant.

Groundwater

Groundwater was not encountered during the geotechnical exploration of the site. Dependent of the time of year grading is performed, perched water conditions may develop within the westerly drainage possibly requiring some dewatering to facilitate removal of the colluvium. A subsurface drainage system should be installed at the base of the canyon cleanout to preclude the build up of water within fill materials. Groundwater is not expected to adversely impact the development of the property as proposed, provided the recommendations contained in the Geotechnical Investigation Report are followed.

Seismicity

Based on the Geotechnical reconnaissance, evidence obtained in the exploratory borings and trenches, and a review of geologic maps, reports, and aerial photographs, the project site is not located on any known active, potentially active, or inactive fault traces as defined by the California Geological Survey (CGS). The CGS considers a fault seismically active when evidence suggests seismic activity within the last 11,000 years. Based on a review of available geologic data and published reports the project is not located within a State of California Earthquake Fault Zone.

The potentially active La Nacion Fault is located approximately 3 miles west of the project site. The site could be subject to moderate to severe ground shaking in the event of a major earthquake along this fault. However, as stated in the Geotechnical report, no geologic conditions exist (including the La Nacion Fault) that would preclude the development of the property provided that the recommendations of the Geotechnical investigation are

implemented. Therefore, impacts associated with seismicity/ground shaking are not expected to adversely impact the development of the property as proposed, provided the recommendations contained in the Geotechnical Investigation Report are followed.

Liquefaction

Liquefaction is generally limited to granular soil deposits located below the groundwater table which are relatively loose, unconsolidated condition that are subjected to ground accelerations from a large earthquake. Due to the dense nature of the underlying formational soils, remedial grading recommendations and the lack of near-surface ground water table, the potential for liquefaction at the site is considered less than significant.

Tsunamis, Seiches, and Earthquake-Induced Flooding

Tsunamis, seiches, and earthquake-induced flooding are not expected to occur on the project site given its distance inland and elevation above the Otay Reservoirs.

A final soils report is required to be prepared to the satisfaction of the City Engineer, prior to the issuance of grading and construction permits. Erosion control measures will be identified in conjunction with the preparation of the grading plans and implemented during the construction phase.

Implementation of project-specific design mitigation measures as described in the geotechnical investigation (Geotechnical Investigation, High Tech High Chula Vista, GEOCON Incorporated, February 13, 2007) would be required to reduce or avoid significant impacts resulting from compressible and expansive soils. Potential impacts resulting from geologic hazards would be reduced below a level of significance through implementation of the project design recommendations contained in the Geotechnical investigation (Geotechnical Investigation, High Tech High Chula Vista, GEOCON Incorporated, February 13, 2007), compliance with the City's Building Code, California State building codes (e.g., Title 24 of the California Code of Regulations, and the UBC), standard practices of the Association of Structural Engineers of California, and the mitigation measures contained in Section F below. These measures are included as a part of the Mitigation Measure Monitoring and Reporting Program.

Hazards and Hazardous Materials

A Phase I Environmental Site Assessment (ESA) was prepared by Dudek and Associates (dated May 2007) to assess the potential for hazardous materials to be located on the project site. The Phase I ESA was prepared in accordance with the guidelines stipulated in the American Society for Testing and Materials Standard E-1527-05. The results of the Phase I ESA are summarized below.

Information obtained during the Phase I ESA indicated that the project site and surrounding areas have been used for dry farming and potentially irrigated farming, as well as cattle and sheep grazing. Pesticides may have been used during agricultural activity on irrigated parts of

Otay Ranch after 1950. Previous environmental investigations on nearby portions of Otay Ranch detected levels of arsenic and organochlorine pesticides that exceed the United States Environmental Protection Agency's (USEPAs) preliminary remediation goals (PRGs). The Phase I ESA prepared for the proposed project revealed no evidence or recognized environmental conditions in connection with the project site except for the historical agricultural activities.

The results of the Phase I ESA could not confirm the use of pesticides on the project site and associated borrow area and, therefore, recommended a Phase II ESA be conducted to further evaluate the site for the presence of excessive levels of arsenic and organochlorine pesticides.

A Phase II ESA was prepared by Dudek and Associates (dated July 2007) to further assess the potential for hazardous materials to be located on the project site. The results of the Phase II ESA are summarized below.

As stated in the Phase II ESA, 15 soil samples were collected at 15 locations on the project site (and associated borrow area) for arsenic and organochlorine pesticides analysis. The results of the soil analysis indicated that the concentration levels for organochlorine pesticides were less than Cal/EPA California Health Screening Levels (CHSLs). Additionally, as stated in the Phase II ESA, three soil samples representing the highest concentrations of organochlorine pesticides were also tested for organophosphorus pesticides. The results of which indicated that the organophosphorus concentrations for all three samples were below laboratory detection limits.

As previously stated, the soil samples were also analyzed for excessive levels arsenic. The results indicated that, although the soil samples had detectible concentrations of arsenic, the concentrations were within the range of naturally occurring arsenic concentrations in Southern California including areas within the immediate vicinity of the project site. Based on the results of the Phase II ESA, no further action is required; therefore, impacts associated with hazardous materials are considered less than significant and no mitigation is required.

Hydrology and Water Quality

In order to assess potential impacts to Hydrology and Water Quality, a Preliminary Drainage Study and Water Quality Technical Report were prepared by RBF Consulting August 10, 2007 and September 11, 2007, respectively. The results of those analyses are summarized below.

Existing Conditions

The project site consists of undeveloped, former farmlands, with no existing drainage improvements. Runoff from the undeveloped site currently drains to one of two tributary canyons of Salt Creek. The existing receiving tributaries are devoid of vibrant vegetation and generally devoid of dry weather runoff. The western portion of the project site, south of the existing grading of Hunte Parkway, drains to a valley tributary of Salt Creek. This tributary merges with Salt Creek just upstream of the confluence with Otay River. The eastern portion

of the project site drains to tributary of Salt Creek and then to a regional water quality basin constructed as part of the Otay Ranch Village 11 SPA Plan development.

The most immediate receiving waters for the project site are the unnamed tributaries to Salt Creek. Once flow reaches Salt Creek, the runoff progresses in a southerly direction to the Otay River and then westerly, via the Otay River, to San Diego Bay. According to the California 303(d) list published by the San Diego Regional Water Quality Control Board (RWQCB Region 9), none of the receiving waters for the site are impaired for any pollutants. Additionally, no Federal Emergency Management Agency (FEMA) Special Flood Hazard Areas (SFHAs) have been mapped on the project site.

Hydrologic Effect of the Project

As stated in the preliminary drainage report, development of the project will increase impervious areas and overall drainage area to the western receiving tributary. Based on the preliminary site design, all runoff from the development footprint of the two schools would discharge to the western tributary via storm drain conveyance system. Grading of the borrow site located to the south and east of the site will be performed such that runoff from the borrow area will maintain existing flow patterns.

To moderate the increase in flow resulting from site development, a detention basin has been proposed within the multi-purposed field area. The detention basin has been designed to attenuate the 2, 10, and 100-year developed design flows to pre-development peak flows to the western tributary. In addition, an energy dissipation device will be installed at the proposed storm drain outfall to reduce the effects of concentrated flows. Based on the results of the preliminary drainage study, the hydrological effects of the project are considered to be less than significant.

On-Site Improvements

Permanent Treatment, Site Design, and Source Control BMPs shall be included as part of the project in accordance with the City of Chula Vista SUSMP requirements and the Water Quality Technical Report for the High Tech High (RBF Consulting, September 11, 2007). The facilities proposed to manage runoff and water quality from the site include, but are not limited to: grading of pads to direct runoff away from structures, storm drain systems to direct on-site runoff to appropriate outfall locations, rip rap systems, vegetated swales (including use of the play field), detention basin, and sub-drains to be installed at all canyon fill areas.

In accordance with the City's Standard Urban Stormwater Mitigation Plan (SUSMP) and RWQCBs new NPDES permit adopted January 24, 2007, the project is also required to implement Low Impact Development (LID) design features. Features included in the site design to minimize the transfer to off-site facilities and maximize on-site treatment include, but are not limited to, the following:

- Discharge of roof runoff to landscape areas and not directly to storm drains. This includes minimizing the amount of roof gutters to reduce concentrated roof flows.
- Sheet flow of parking lot drainage to landscape areas to maximize contact with landscaping before runoff enters the storm drains. This will result in increased infiltration and treatment.
- Use of vegetated swales to convey runoff from parking areas. This will increase infiltration and treatment of runoff before excess runoff enters storm drains.
- On-site detention facility and sheet flow of runoff across landscaped playing field areas. Flow from the detention facility is regulated to attenuate the peak 100, 10, and 2-year flows to pre-development flow conditions.
- Use of decomposed granite for future pad areas of the Environmental Research Center instead of concrete pavement in order to minimize the quantity of runoff from the site.

Temporary Construction Improvements

Best Management Practices (BMPs) to prevent, reduce, or treat water pollutants will be implemented during the constructing phase of the project and include, but are not limited to, vegetation stabilization (hydroseeding), desilting basins, silt fencing, straw wattles, gravel bags, storm drain inlet protection, construction ingress/egress stabilization, spill prevention control, and employees and subcontractor training.

The project applicant shall obtain an NPDES Permit for Construction Activity from SWRCB. Adherence to all conditions of the General Permit for Construction Activity is required. The applicant shall be required under the SWRCB General Construction Permit to develop a SWPPP and a Monitoring program Plan. The SWPPP shall specify both construction and post-construction structural and non-structural pollution prevention measures. The SWPPP shall also address operation and maintenance of post-construction pollution prevention measures, including short-term and long-term funding sources and the party or parties that will be responsible for the implementation of said measures.

In addition, the applicant must provide to the satisfaction of the City Engineer verification that a complete and accurate Notice-of-Intent (NOI) has been filed with the SWRCB. A copy of the acknowledgement from the SWRCB that a NOI has been received for this project shall be filed with the City of Chula Vista when received. Further, a copy of the completed NOI from the SWRCB showing the Permit Number for this project shall be filed with the City of Chula Vista when received.

As a standard condition of approval, a final drainage study will be required in conjunction with the preparation of the project grading plans. Properly designed drainage facilities will be installed at the time of the site development to the satisfaction of the City Engineer. In addition, compliance with required NPDES regulations and BMPs will reduce water quality

impacts to a less than significance level. These measures are included as a part of the Mitigation Monitoring and Reporting Program (See Section F).

Noise

To assess the potential noise impacts of the project, an acoustical impact analysis was prepared by RBF Consulting, *Acoustical Assessment for the High Tech High University Park*, dated October 30, 2007 a copy of which is available for review at the Planning and Building Department. The results of this analysis are summarized below.

Noise Standards

The acoustical analysis assessed the project with respect to the regulations contained in Chapter 19.68, Performance Standards and Noise Control, of the Chula Vista Municipal Code (noise control ordinance) and the noise element of the Chula Vista General Plan. Pursuant to the noise control ordinance, no person shall operate, or cause to be operated, any source of sound at any location within the city or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person which exceeds the established noise level limits (CVMC § 19.68.030(A)(4)). The noise level limits of the noise control ordinance vary by receiving land use category and time of day (daytime versus nighttime). Per Section 19.68.030 (B)(4) of the noise control ordinance, if the ambient noise level exceeds the established noise level limit, then the allowable noise exposure standard shall be the ambient noise level. The existing and potential future noise-sensitive uses adjacent to the project site potentially affected by project-generated noise consist of single-, and multi-family residential units to the north.

For the evaluation of potential off-site receivers due to on-site noise sources, the City noise ordinance allows the facility to make hourly average noise levels of up to 55 dBA Leq (60 dBA Leq for multi-family) or the ambient, whichever is higher, during the daytime hours at the residential property line. When evaluating the potential noise impacts to on-site receivers due to off-site sources (i.e., traffic), for this project the City has specified a land use compatibility noise standard of 65 community noise equivalent level (CNEL) for on-site outdoor use areas and 70 CNEL for the outdoor activity court (basketball court).

Existing Conditions

Ambient noise levels were measured during daytime hours at three locations in order to ascertain the typical worst-case existing sound levels. The hourly average sound level (Leq) recorded over the monitoring period ranged from 68.3 dBA Leq near the intersection of Olympic Parkway and Exploration Falls Drive to 46.9 dBA Leq near the intersection of Hunte Parkway and Olympic Parkway. By comparison, the existing ambient noise measurement collected at the project site was 47.5 dBA Leq.

On-Site Noise Levels

Phase I Development

Based on a review of the preliminary site plans for Phase I, the nearest on-site sensitive noise receptors to Hunte Parkway include the out door activity court (basketball court) and north facing building façades. As stated in the acoustical assessment, noise levels (under full build out conditions) noise levels at these locations would be approximately 65.3 dBA CNEL. As previously stated, the applicable noise threshold for the basketball court area would be 70 dBA CNEL; therefore, noise levels at the basketball court would be consistent with the City of Chula Vista noise standards and considered less than significant.

The north-facing building facades are also located within the 65 dBA CNEL noise contour and as such would be subject to applicable requirements of the California Uniform Building Code (UBC) that establishes a 45 dBA CNEL interior noise threshold for sensitive indoor receptors. Standard construction practices typically provide an outdoor to indoor attenuation rate of approximately 20 dBA. As previously discussed, the project would exceed the standard California Title-24 Energy Code by a minimum of 15 percent. Therefore, interior noise levels with buildings associated with Phase I development would be reduced to a level of less than significant though the use of industry standard construction materials and techniques consistent with the UBC. Compliance with UBC is required for all projects and is verified through the City's development plan check process prior to issuance of building permits.

Phase II Development

Preliminary site plans for Phase II are currently not available and the exact building locations and sensitive outdoor uses such as play areas have not yet been determined. As indicated in the analysis for Phase I, at 230 feet from the Hunte Parkway roadway centerline, noise levels would be slightly above 65 dBA CNEL. Therefore, a potentially significant impact would occur if future buildings and/or outdoor use areas were proposed within 230 feet of the roadway centerline. Prior to the issuance of building design permits for Phase II construction, the applicant shall be required to prepare, to the satisfaction the Environmental Review Coordinator, a subsequent acoustical assessment permits to ensure that sensitive outdoor uses would not be exposed to noise levels exceeding 65 dBA CNEL. This mitigation measure is included as a part of the Mitigation Monitoring and Reporting Program (See Section F). Implementation of the mitigation measures contained in Section F of this MND would reduce potential noise impacts to a level of less than significant.

Stationary Noise Sources

Potentially significant stationary noise sources associated with the school operations and development activities consist of rooftop air conditioners (HVAC) or equipment and school operations/activities. A summary of the analysis of estimated noise generated by these stationary sources is as follows:

HVAC/Roof-mounted Equipment

The proposed project would require the use of heating, ventilation, and air conditioning units (HVAC) at the school building, the location, type, number of units, and unit specifications of which are currently not available. Noise levels from the mechanical equipment would be minimized by orienting equipment away from any identified sensitive receptors, proper selection of equipment, shielding, and proper installation. Impacts associated with roof mounted HVAC equipment are anticipated to be less than significant. However, upon completion of final site plans including mechanical design, the applicant shall be required to submit a supplemental noise analyses and mechanical plans for each phase subject to review the City Environmental Review Coordinator prior to issuance of building permits for each respective phase.

Upon review of supplemental noise analysis, if it is determined that there are potential noise impacts created by the HVAC or other mechanical equipment, then applicable mitigation measures shall be developed to ensure these impacts are reduced to a level of less than significant. The applicant shall be required to be in compliance with applicable mitigation measures identified in the updated noise analysis. This mitigation measure is included as a part of the Mitigation Monitoring and Reporting Program (See Section F).

Public Address (PA) System and Bell Signal System

Typical noise sources generated from school facilities and sports events include public address systems and bell signal systems that are essential to a school facility. The City of Chula Vista Noise Ordinance, Section 19.68.050, regulates these signaling devices. Limiting the operation cycle or sounding of these devices to no more than two minutes continually in any 60-minute period or intermittent sounding over a five-minute period in any hour. Currently, the project proposal does not include the use of PA and/or bell system. However, in the event that such a system is proposed, the applicant shall be required to submit a supplemental noise analysis based on final site designs and to the satisfaction of the Environmental Review Coordinator, to verify conformance with Chula Vista Noise Ordinance, Section 19.68.050.

Upon review of supplemental noise analysis, if it is determined that there are potential noise impacts created by the PA system or bell signal system, then applicable mitigation measures shall be developed to ensure these impacts are lessened to a level of less than significant. The applicant shall be required to be in compliance with applicable mitigation measures identified in the updated noise analysis. This mitigation measure is contained in Section F below.

School Operations/Activities

The acoustical assessment prepared by RBF also included an evaluation of other potential noise generating operations and/or activities including routine landscape maintenance, ancillary activities (outdoor activity court, pre-school, adult education, etc.), and parking lot activities (parking lot traffic, car door slamming, conversations). As detailed in the acoustical assessment, noise associated with operational activities would not exceed the City's applicable noise standards; therefore, impacts associated with school operations/activities are considered less than significant.

Short-term Construction Activities

A variety of noise-generating equipment would be used during the construction phase of the project. Construction equipment utilized during development may include scrapers dump trucks, loaders, jackhammers, and concrete mixers, along with others.

Construction activities are exempt from the exterior noise standards specified in Chapter 19.68 as discussed in Section 19.68.060 of the City's Municipal Code. However, construction noise has the potential to be a nuisance in existing residential areas in the vicinity of the project site. Pursuant to the Chula Vista Municipal Code Section 17.24.050 (Paragraph J), construction is prohibited Monday through Friday from 10:00 P.M. to 7:00 A.M., and from 10:00 P.M. to 8:00 A.M. on Saturdays and Sundays. Compliance with this regulation will ensure that construction noise does not cause a significant nuisance noise impact.

Although construction noise is exempt from the levels specified in Section 19.68.040, potential construction noise levels were estimated for assessment of potential impacts to on-site receivers (e.g., classrooms) during the development of Phase II. Cumulative worst-case levels associated with construction equipment were calculated for the closest sensitive on-site receptors (i.e., classrooms/school buildings) during the construction of Phase II. The City does not have fixed operation standards for these types of construction activities, however, assessment is discussed below.

Noise produced by construction equipment varies substantially, depending upon the type of equipment being used and its operation and maintenance. Construction noise is generally of relatively short duration, lasting from a few days to a period of months. Noise impacts associated with construction activities would typically occur in several distinct phases, each with its own noise characteristics. The first phase, site preparation, is generally the noisiest and has the shortest duration. Activities that occur during this phase include earth-moving and compacting of soils. High noise levels are created during this phase from the operation of heavy-duty trucks, backhoes, and front-end loaders. The majority of this type of construction will occur during the development of Phase I.

As stated in the acoustical impact report, a reasonable worst-case evaluation assumed that the three loudest pieces of equipment would operate simultaneously and continuously over at least one hour within a focused area of 15 yards of each other. The combined sound level of three of the loudest pieces of equipment (scraper, bulldozer, and heavy truck) is 92 dBA measured at 50 feet from the noise source. These estimations of noise levels take into account distance to receptor attenuation, attenuation from molecular absorption, and anomalous excess attenuation.

Construction activities associated with Phase II development has the potential to adversely affect noise-sensitive uses such as classrooms and other school buildings. As such, these noise levels are considered to represent a potentially significant impact. Although the City does not regulate construction noise during the day it should be noted that if noise levels are found to be excessive enough to disrupt classroom activities, or impact students or teachers in the classrooms, onsite temporary noise barriers or other noise abatement measures shall be implemented on a case-by-case basis to provide adequate attenuation to the affected phased areas.

The project would be required to limit construction hours, place mufflers on equipment engines, and orient stationary sources to direct noise away from sensitive uses. These measures are included as a part of the Mitigation Monitoring and Reporting Program (See Section F). Thus, construction-related impacts would be less than significant.

Transportation/Traffic

A Traffic Impact Analysis was prepared by Rick Engineering Company (dated May 1, 2007) in order to identify potential traffic impacts associated with the development of the proposed project. The results of the traffic impact analysis are summarized below.

Intersection and Roadway Segment Analysis Methodology

The project driveways, nearby intersections and roadways were analyzed under the following scenarios:

- Near Term (2010) No Project
- Near Term (2010) with Phase I Project
- Near Term (2010) with Phase I + Phase II Project
- Long Term (2030) No Project
- Long Term (2030) with Phase I + Phase II Project

The level of service for roadway operations was calculated based on the City's Average Daily Trip Table for each roadway classification (Table B-1, Page 6 of the City of Chula Vista Traffic Impact Study Manual).

The level of signalized intersections was calculated using the methodologies described in Chapter 16 of the 2000 Highway Capacity Manual (HCM). The level of service for signalized intersections is defined in terms of average control delay, which is made up of a number of

factors that relate to right-of-way control, geometrics, traffic controls, and incidents. The signalized intersection analysis also takes into account intersection spacing and coordination. The cycle lengths were optimized to complete the intersection LOS analysis.

Significance Criteria

The City's "Guidelines for Traffic Impact Studies" was utilized for the basis of determining potential impacts, both project specific or cumulative, to freeway segments, roadway segments, and intersections.

Existing Conditions

The project site is located on the south side of Hunte Parkway, east of the future extension of Discovery Falls Drive. Public access to the site will be provided via one driveway off of the future extension of Discovery Falls Drive. A dedicated emergency access will be provided off of Hunte Parkway. Currently, all roadway segments and intersections within the study area operate at an acceptable level of service in accordance with City threshold standards.

Project Trip Generation

Phase I of the project would generate 1,100 daily trips with 220 (154 inbound and 66 outbound) trips during the a.m. peak-hour and 110 (44 inbound and 66 outbound) trips during p.m. peak-hour. The Phase II portion of the project would generate 1,331 daily trips with 416 (250 inbound and 166 outbound) trips during the a.m. peak-hour and 120 (48 inbound and 72 outbound) trips during p.m. peak-hour. The entire project (Phase I + Phase II) would generate a total of 2,431 daily trips with 636 (404 inbound and 232 outbound) trips during the a.m. peak-hour and 230 (92 inbound and 138 outbound) trips during p.m. peak-hour.

Near Term (2010) Condition

Based on the information provided in the draft SUHSD Middle School 12/High School 14 traffic impact study prepared by Katz, Okitsu and Associates dated October 2006, turning movement volumes at some of the study intersections (common intersections with Katz, Okitsu and Associates traffic study) for Near-Term (2010) Condition were formulated. The turning movement volumes at the remaining study intersections were based on a comparison of traffic forecasts from the City's tollway model and traffic forecasts obtained from Linscott, Law and Greenspan Engineers staff for a freeway. Traffic volumes were reduced/adjusted to represent future forecasts for the toll condition at the remaining intersections.

Based on the modeling results for Near-Term (2010) No Project conditions, all of the study intersections and roadway segments are expected to operate at acceptable levels of service.

Under Near-Term (2010) + Phase I Project Conditions, significant impacts would occur without improvements to the intersection of Discovery Falls Drive at Hunte Parkway. The

following intersection improvements are necessary to reduce potential traffic impacts to a level of less than significant:

- Installation of fully activated traffic signals at the intersection of Hunte Parkway at Discovery Falls.
- Install a westbound left turn pocket on Hunte Parkway at Discovery Falls
- Install a northbound left turn pocket on Discovery Falls at Hunte Parkway
- Install a southbound left turn pocket on Discovery Falls at the Project Driveway
- Install a one lane inbound and two lanes outbound at the Project Driveway

Similarly, potentially significant impacts associated with Near-Term (2010) with Phase I plus Phase II Project Condition traffic would be mitigated to less than significant with implementation of the following street improvements:

- Install an eastbound right turn pocket on Hunte Parkway at Discovery Falls
- Install one additional lane inbound to have two lanes inbound and two lanes outbound at the Project Driveway

Long Term (2030) Condition

Based on the modeling results for Long-Term (2030) No Project Condition, all of the study intersections and roadway segments are expected to operate at acceptable levels of service.

With implementation of the traffic control measures described above, all of the study intersections and the roadway segments are expected to operate at acceptable levels of service under Long-Term (2030) plus Project (Phase I + Phase II) Condition.

The mitigation measures described in Section F below would mitigate traffic impacts to a level of less than significant.

Project Site Access and Circulation

Access to the project will be provided via two access points: a full access driveway that would connect with the south leg of the Hunte Parkway/Discovery Falls intersection providing full access; and an Emergency Vehicle only access driveway on Hunte Parkway.

The project driveway on Discovery Falls will form a Tee-intersection with Discovery Falls. Discovery Falls will not be open for traffic operations south of the project driveway under Near-Term Conditions; therefore, only two turning movements will be provided under near-term project conditions: Inbound project vehicles turning left into the project driveway from southbound Discovery Falls; and the outbound project vehicles turning right onto northbound Discovery Falls from the project driveway. These two movements will be non-conflicting and do not need traffic control. These two movements will occur simultaneously resulting in reduced stacking of vehicles at the project access. Under long-term conditions, Discovery Falls is expected to be open for traffic operations south of the Project Driveway. An all-way

STOP sign control was assumed to adequately control future traffic movement at this intersection.

At the intersection of Discovery Falls and the Project Driveway, two right turn lanes are required to sufficiently accommodate the project vehicles turning right onto northbound Discovery Falls for Phase I buildout. The southbound Discovery Falls approach at this intersection would be provided with one lane striped as a left turn only lane to accommodate the project vehicles turning left into the driveway with one receiving lane on the project driveway under Phase I buildout. An additional left turn lane will be provided along southbound Discovery Falls approach at this intersection with an additional receiving lane on the project driveway to accommodate the increased number of project vehicles with Phase II buildout.

At the intersection of Hunte Parkway and Discovery Falls, there would be a considerable number of project vehicles (335 vehicles during the AM peak) turning right onto southbound Discovery Falls from eastbound Hunte Parkway during the school peak hours. The intersection level of service calculations show that the intersection of Hunte Parkway and Discovery Falls is expected to operate acceptably under Near-Term (2010) with Phase I plus Phase II Project and Long-Term (2030) with Project Conditions. However, to reduce the potential queuing issues, an exclusive right turn lane for the eastbound Hunte Parkway approach would be required. In addition, overlap phasing for the eastbound right turn movements are also required to allow for simulations movement to occur with the northbound left turn movement, thereby reducing potential queuing impacts for the eastbound right turn movement.

Drop-off/Pick-up Areas

Based on the proposed site plan, there is a drop-off/pick-up area located on the eastern side of the project site. This drop-off/pick-up area would take access from the driveway at Discovery Falls. The project traffic in the drop-off/pick-up area will circulate in a one-way counterclockwise fashion in which cars park curbside to drop-off students. Based on the preliminary site plan, the one-way circular travel way has a total width of 30 feet with approximately 200 feet of storage. Additionally, a 10-foot wide passenger drop off/pick up lane and a 20-foot travel way, which includes a fire lane, is provided. Parking should be prohibited within the inside curb lane of the travel way to allow for fire/emergency vehicle access. An attendant should be present during the peak drop-off /pick-up periods to keep circulation flowing in a safe manner and to ensure fire/emergency lane is not constricted or blocked. Lastly, to discourage mid-block pedestrian crossing on Discovery Falls, parking and stopping must be prohibited on both sides of Discovery Falls and Hunte Parkway in the vicinity of the project site.

The mitigation measures contained in Section F below would mitigate potential impacts to queuing and pedestrian safety to a level of less than significance. These measures are included as a part of the Mitigation Monitoring and Reporting Program.

Parking

The City of Chula Vista Municipal Code requires 1 parking space per teacher or employee plus 5 parking stalls for visitors for K-9th grades, and 1 parking space per 4 students for 10th – 12th grades. In accordance with the City's parking standards for educational facilities, the project would be required to provide 164 based on the following:

- K-8th grade (47 employees): 47 spaces (1 space per employee) + 5 spaces = 52 spaces
- 9th grade (7 employees): 7 spaces (1 space per employee) + 5 spaces = 12 spaces
- 10th – 12th grade (400 students): 1 space for every 4 students = 100 spaces
- Total Requirement: 164 spaces.

The proposed project will provide a total of 164 parking spaces. Phase I and Phase II will have 112 and 52 spaces, respectively. Therefore, the proposed parking supply (164 spaces) will satisfy the on-site parking requirement (164 spaces) in accordance with City parking standards. Therefore, no significant parking impacts will result from the proposed project.

F. Mitigation Necessary to Avoid Significant Impacts

Air Quality

1. The following air quality mitigation requirements shall be shown on all applicable grading, and building plans as details, notes, or as otherwise appropriate, and shall not be deviated from unless approved in advance in writing by the City's Environmental Review Coordinator:
 - a) Minimize simultaneous operation of multiple construction equipment units;
 - b) Use low pollutant-emitting construction equipment;
 - c) Use electrical construction equipment as practical;
 - d) Use catalytic reduction for gasoline-powered equipment;
 - e) Use injection-timing retard for diesel-powered equipment;
 - f) Water the construction area a minimum of three times daily to minimize fugitive dust;
 - g) Stabilize graded areas as quickly as possible to minimize fugitive dust;
 - h) Pave permanent roads at the direction of the Environmental Review Coordinator or City Engineer to minimize dust;
 - i) Use electricity from power poles instead of temporary generators during building, if available;
 - j) Apply stabilizer or pave the last 100 feet of internal travel path within a construction site prior to public road entry;
 - k) Install wheel washers adjacent to a paved apron prior to vehicle entry on public roads;
 - l) Remove any visible track-out into traveled public streets within 30 minutes of occurrence;
 - m) Wet wash the construction access point at the end of each workday if any vehicle travel on unpaved surfaces has occurred;

- n) Provide sufficient perimeter erosion control to prevent washout of silty material onto public roads;
- o) Cover haul trucks or maintain at least 12 inches of freeboard to reduce blow-off during hauling; and
- p) Suspend all soil disturbance and travel on unpaved surfaces if winds exceed 25 miles per hour.

Biological Resources

2. Prior to issuance of land development permits, including clearing or grubbing and grading permits, the following notes shall be included on the respective plans to the satisfaction of the Environmental Review Coordinator:

“To avoid any direct and indirect impacts to raptors and/or any migratory birds, removal of habitat that may support active nests should occur outside of the breeding season for these species (January 15 to August 15). In addition construction activities adjacent to nesting habitat should also occur outside of the breeding season for these species. If the removal of habitat and/or construction activities adjacent to nesting habitat must occur during the breeding season, the applicant shall retain a City-approved biologist to conduct a pre-construction survey to determine the presence or absence of nesting birds on or within 300 feet of the construction area and nesting raptors within 500 feet of the construction area. The pre-construction survey must be conducted within 10 calendar days prior to the start of construction, the results of which must be submitted to the City for review and approval prior to initiating any construction activities. If nesting birds are detected by the City-approved biologist, a biological monitor shall be present on site during construction to minimize construction impacts and ensure that no nest is removed or disturbed until all young have fledged.”

3. Prior to issuance of land development permits, including clearing or grubbing and grading permits, the applicant shall verify, to the satisfaction of the Environmental Review Coordinator, that the landscaping plans for the proposed borrow area include a hydroseed seed composition consistent with the with the adjacent vegetation communities and that will not indirectly impact sensitive biological resources associated with the City’s Preserve located approximately 3,000 feet to the southeast.

Cultural Resources

4. Prior to issuance of land development permits, including clearing or grubbing and grading permits, the applicant shall provide confirmation and incorporate into grading plans, to the satisfaction of the Environmental Review Coordinator, that an archeological monitor will be present during all cutting of previously undisturbed soil. Should any resources be identified during grading operations, the location of the discovery will be secured, to the satisfaction of the Environmental Review Coordinator, from any further disturbance. The City shall be notified and the discovery will be evaluated for

significance; if found to be significant, a data recovery plan shall be prepared to the satisfaction of the City's Environmental Review Coordinator.

Paleontological Resources

5. Prior to issuance of land development permits, including clearing or grubbing and grading permits, the applicant shall incorporate into grading plans to the satisfaction of the City Engineer and Environmental Review Coordinator, the following:

"Prior to issuance of any grading permits, the applicant shall confirm to the City of Chula Vista that a qualified paleontologist has been retained to carry out the following mitigation program. The paleontologist shall attend pregrade meetings to consult with grading and excavation contractors. (A qualified paleontologist is defined as an individual with a M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.)

A paleontological monitor shall be on-site at all times during the original cutting of previously undisturbed sediments of highly sensitive geologic formations (Otay Formations) to inspect cuts for contained fossils. The paleontological monitor shall work under the direction of a qualified paleontologist. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials.)

In the event that fossils are discovered in unknown sensitive formations, it may be necessary to increase the per-day field monitoring time. Conversely, if fossils are not discovered, the monitoring should be reduced.

When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In instances where recovery requires an extended salvage time, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Where deemed appropriate by the paleontologist (or paleontological monitor), a screen-washing operation for small fossil remains shall be set up.

Prepared fossils, along with copies of all pertinent field notes, photographs, and maps, shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed which outlines the results of the mitigation program. This report shall include discussion of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils."

Geology and Soils

6. Prior to issuance of land development permits, including clearing or grubbing and grading permits, the applicant shall verify that the applicable recommendations of the preliminary geotechnical investigations for High Tech High prepared by Geocon (February 13, 2007) have been incorporated into the project design and construction

documents to the satisfaction of the City Engineer. Recommendations to be implemented include, but are not limited to:

- Grading plans shall indicate that excavations within the sandstone-mudstone member of the Otay Formation will encounter bentonite layer or zones with bentonite rich materials. These materials are highly expansive and should be placed in deeper fill areas and a least 10 feet below proposed finish grade elevations.
- Grading plans shall indicate that cut pads that expose claystone or bentonite materials should be under cut to completely remove the expansive soils. If the bentonite or claystone layers are relatively thin and can be completely removed in the upper 1 to 3 feet, then the depth of undercut should be at least 3 feet. Where expansive materials extend deeper than 3 feet, the undercuts should be at least 5 feet below proposed finish pad grade elevations. After the over-excavations have been performed, the area should be brought back to design subgrade elevations with properly compacted *low* expansive granular soils.
- Grading plans shall indicate that, in order to reduce the potential for differential settlement, the cut portion of cut-fill transition pad (future ERC Finish Floor 547) should be undercut to a depth of at least 3 feet and replaced with compacted, *low* expansive (EI less than 50) fill soils. The main high school building, approximately 425 feet in length, will be underlain by approximately 0 to 70 feet of fill. The cut portion of this building should be undercut at least 5 feet at the north end (FF 547) and the undercut should be increased to 10 feet at a distance of approximately 75 feet from the north end (FF 548). Over-excavations should be cut at a gradient of 1 percent toward the street or toward the deepest fill area to provide drainage for moisture along the contact between formational material and compacted fill.
- Grading plans shall indicate that, where practical, the upper 3 feet of building pads (cut or fill) and 12 inches in pavement areas should consist of properly compacted *low* (EI less than 50) expansive granular soils. Highly expansive material should be placed in deeper fill areas and properly compacted.
- Grading and building plans shall indicate that under no circumstances should water be allowed to pond adjacent to footings. The building pads should be properly finish graded after the buildings and other improvements are in place so that drainage water is directed away from foundations, pavements, concrete slabs, and slope tops to controlled drainage devices.
- Landscape Plans shall incorporate drought-tolerant vegetation having variable root depths and requiring minimal landscape irrigation along all slope areas.

Hydrology and Water Quality

7. Prior to issuance of land development permits, including clearing or grubbing and grading permits, a final drainage study shall be required in conjunction with the preparation of final grading plans and must demonstrate that the post-development peak flow rate does not exceed the pre-development flows as indicated in the Preliminary

Drainage Study, RBF September 11, 2007, and to the satisfaction of the City Engineer. Additionally, the City Engineer shall verify that the final grading plans comply with the provisions of California Regional Water Quality Control Board, San Diego Region Order No. 2001-01 with respect to construction-related water quality best management practices. If one or more of the approved post-construction BMPs is non-structural, then a post-construction BMP plan shall be prepared to the satisfaction of the City Engineer prior to the commencement of construction. Compliance with said plan shall become a permanent requirement of the Mitigation Monitoring and Reporting Program.

8. Prior to issuance of each grading permit, the project applicant shall obtain an NPDES Permit for Construction Activity from SWRCB. Adherence to all conditions of the General Permit for Construction Activity is required. The applicant shall be required under the SWRCB General Construction Permit to develop a SWPPP and a Monitoring program Plan. The SWPPP shall specify both construction and post-construction structural and non-structural pollution prevention measures. The SWPPP shall also address operation and maintenance of post-construction pollution prevention measures, including short-term and long-term funding sources and the party or parties that will be responsible for the implementation of said measures.
9. Prior to the issuance of each grading permit, the applicant must provide to the satisfaction of the City Engineer verification that a complete and accurate Notice-of-Intent (NOI) has been filed with the SWRCB. A copy of the acknowledgement from the SWRCB that a NOI has been received for this project shall be filed with the City of Chula Vista when received. Further, a copy of the completed NOI from the SWRCB showing the Permit Number for this project shall be filed with the City of Chula Vista when received.
10. Permanent Treatment, Site Design, and Source Control BMPs shall be included as part of the project in accordance with the City of Chula Vista SUSMP requirements and the Water Quality Technical Report for the High Tech High (RBF Consulting, August 10, 2007).
11. Prior to issuance of land development permits, including clearing or grubbing and grading permits, a maintenance plan for temporary erosion control facilities shall be established by the applicant to the satisfaction of the City Engineer. The applicant shall be responsible for implementing, monitoring, and maintaining the required BMPs to ensure that the measures are working properly, until the construction area has been permanently stabilized. This will typically involve inspection, cleaning, repair operations being conducted after runoff-producing rainfall.
12. After construction, energy dissipating structures (e.g. detention ponds, riprap, or drop structures) as deemed necessary by a hydrologic or engineering consultant shall be used at storm drain outlets, drainage crossings, and/or downstream of all culverts, pipe outlets, and brow ditches to reduce velocity and prevent erosion to the satisfaction of the City Engineer.

Transportation/Traffic

13. Prior to the approval of site improvement plans for Phase I construction, the applicant shall enter into an agreement with the City to design, bond, and construct, to the satisfaction of the City Engineer, a fully actuated traffic signal including conduit, wiring, mast arms, signal heads, a controller and associated equipment, underground improvements, standards, and luminaries at the Hunte Parkway/Discovery Falls Drive intersection. Design of the intersection shall include, to the satisfaction of the City Engineer, the following roadway improvements:

- Westbound left turn pocket on Hunte Parkway at Discovery Falls
- Dual Northbound left turn pockets on Discovery Falls at Hunte Parkway

Driveway Entrance shall include:

- Southbound left turn pocket on Discovery Falls at the Project Driveway
- One lane inbound and two lanes outbound at the Project Driveway

14. Prior to the approval of site improvement plans for Phase II construction, the applicant shall enter into an agreement with the City to design, bond, and construct, to the satisfaction of the City Engineer, the following roadway improvements:

- Eastbound right turn pocket on Hunte Parkway at Discovery Falls
- One additional inbound lane constructed/striped at the Project Driveway.

15. Prior to approval of building permits for Phase I and Phase II construction, the applicant shall submit a detailed Signage and Striping Plan, to the satisfaction for the City Engineer, identifying the location of fire lanes, appropriate advance school warning signs, crosswalk locations, drop-off/pick-up locations, and lane configurations (including appropriate storage lengths) consistent with the recommendations contained in the High Tech High Traffic Impact Analysis (Rick Engineering Company, May 1, 2007).

Noise

16. Prior to Grading Permit issuance, the Applicant shall demonstrate to the satisfaction of the City Environmental Review Coordinator that the project complies with the following:

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers;
- Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and use of electric air compressors and similar power tools, rather than diesel equipment, shall be used where feasible;

- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from or shielded from sensitive noise receivers;
 - During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors;
 - Operate earthmoving equipment on the construction site, as far away from vibration sensitive sites as possible; and
 - The project shall be in compliance with Section 17.24.050.J of the City's Municipal Code which regulates construction hours. Construction hours, allowable workdays and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding property owners and residents to contact the job superintendent. In the event the City receives a complaint, appropriate corrective actions shall be implemented and a report the action taken to the reporting party.
17. Prior to the issuance of building design permits for Phase II construction, the applicant shall be required to prepare, to the satisfaction the Environmental Review Coordinator, a subsequent acoustical assessment permits to ensure that sensitive outdoor uses would not be exposed to noise levels exceeding the City's 65 dBA CNEL standard.
18. Prior to the approval of design review permits for each phase of development, and upon completion of mechanical design for the HVAC and roof-mounted equipment, the Applicant shall be required to submit a subsequent noise analyses and mechanical plans to the satisfaction of the Environmental Review Coordinator to ensure that noise levels from the equipment will not exceed the City of Chula Vista's Noise Ordinance Standards for sensitive noise receptors (i.e., 55 dBA Leq or 60 dBA Leq for multi-family). Upon review of the additional noise analysis, if it is determined that there are potential noise impacts created by the HVAC units and/or other roof-mounted equipment, then applicable design measures shall be incorporated into the project's development plans to ensure that project generated noise levels are consistent with the City's noise standards.

G. Agreement to Implement Mitigation Measures

By signing the line(s) provided below, the Applicant stipulate that they have read, understood and have their respective company's authority to and do agree to the mitigation measures contained herein, and will implement same to the satisfaction of the Environmental Review Coordinator. Failure to sign the line(s) provided below prior to posting of this Mitigated Negative Declaration with the County Clerk shall indicate the Applicant's and Operator's desire that the Project be held in abeyance without approval and that the Applicant and Operator shall apply for an Environmental Impact Report.

N/A
Printed Name and Title of Applicant
(or authorized representative)

Date

N/A
Signature of Applicant
(or authorized representative)

Date

Jed Wellare COO
Printed Name and Title of Operator
(if different from Applicant)

11/2/7
Date

Wd
Signature of Operator
(if different from Applicant)

11/2/7
Date

H. Consultation

1. Individuals and Organizations

City of Chula Vista:
Scott Donaghe, Planning and Building Department
Marisa Lundstedt, Planning and Building Department
Rick Rosaler, Planning and Building Department
Steve Power, Planning and Building Department
Josie McNeeley, Planning and Building Department
Silvester Evetovich, Engineering Division

Jim Newton, Engineering Division
David Kaplan, Engineering Division
Tom Adler, Engineering Division
Mario Ingrassi, Engineering Division
Justin Gipson, Fire Department

Others:

RECON Environmental, Inc.

2. Documents

The following documents were used, referenced, or relied on in preparing this MND, and the documents are available for public review and inspection at the City of Chula Vista Planning and Building Department, 276 Fourth Avenue, Chula Vista, California, and are incorporated by reference in this MND:

- City of Chula Vista General Plan Update, 2005.
- Final Environmental Impact Report, City of Chula Vista General Plan Update, EIR No. 05-01, December 2005.
- City of Chula Vista MSCP Subarea Plan, February 2003.
- Final Environmental Impact Report, Otay Ranch Village 2, 3, and a Portion of Village 4 Sectional Planning Area, EIR No. 02-02.
- Final Environmental Impact Report, Otay Ranch Village 11 Sectional Planning Area, EIR No. 01-01.
- Otay Ranch Resource Management Plan, Phase II, 1996.
- Guidelines for Traffic Impact Studies in the City of Chula Vista, 2001.
- Geotechnical Investigation for High Tech High, GEOCON, February 13, 2007.
- Biological Resources Report and Impacts Analysis for High Tech High University Park Campus, Dudek and Associates, May 2007.
- Phase I Environmental Site Assessment for High Tech High University Park, Dudek and Associates, May 2007.
- Archeological Assessment for the High Tech High Chula Vista Project, Brian F. Smith and Associates, April 11, 2007.
- Water Study Technical Memorandum, RBF, April 19, 2007.
- High Tech High University Park Traffic Impact Analysis, Rick Engineering, May 1, 2007.
- Phase II Environmental Site Assessment for High Tech High, Dudek and Associates, August 2007.
- Drainage Report for High Tech High, RBF, August 10, 2007.
- High Tech High Steep Slope Review, RBF, September 6, 2007.
- Water Quality Technical Report for High Tech High, RBF, September 11, 2007.

- Air Quality Assessment for High Tech High University Park, RBF, September 19, 2007 and Supplement Letter dated October 3, 2007.
- Preliminary Sewer Report, RBF, October 16, 2007.
- Acoustical Assessment for high Tech High University Park, RBF, October 31, 2007

3. Initial Study

This environmental determination is based on the attached Initial Study, any comments received on the Initial Study and any comments received during the public review period for this Mitigated Negative Declaration. The report reflects the independent judgment of the City of Chula Vista. Further information regarding the environmental review of this project is available from the Chula Vista Planning and Building Department, 276 Fourth Avenue, Chula Vista, CA 91910.

Glen Laube
Senior Planner

Date: _____